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DEPT OF JUSTICE FOR OPDAT, CLEHMANN

E.O. 12958: DECL: 06/05/2033

TAGS: [PHUM](#) [PREL](#) [KJUS](#) [KOLY](#) [CH](#)

SUBJECT: THE U.S.-CHINA HUMAN RIGHTS DIALOGUE, MINISTRY OF
JUSTICE MEETING, MAY 27, 2008

Classified By: Political Minister Counselor Aubrey Carlson. Reasons 1.
4 (b) and (d).

[1](#)1. (U) May 27, 2008; 3:45 p.m.; Beijing, Ministry of Justice

[1](#)2. (U) Participants:

U.S.

David J. Kramer, Assistant Secretary of State for Democracy,
Human Rights, and Labor (DRL)
Thomas Christensen, Deputy Assistant Secretary of State for
East Asian and Pacific Affairs
Robert K. Harris, Assistant Legal Advisor, Department of State
Richard W. Behrend, PRM Advisor, Department of State
Susan O'Sullivan, Senior Advisor, DRL
Amy Chang Lee, Resident Legal Advisor, Embassy Beijing
(notetaker)
Jeannette M. Windon, Special Assistant, Office of Global
Affairs, Department of State
Steve Goldrup, Political Officer, Embassy Beijing
Andrea Goodman, China Desk Officer, Bureau of East Asian and
Pacific Affairs, Department of State
Vicky Segal, Interpreter

PRC

Guo Jian'an, Director General, Legal Assistance and Foreign
Affairs Department, MOJ
Li Jin, Director, Prison Department, MOJ
Guo Xintao, Director, Research Office, MOJ
Niu Wenzhong, Director, Lawyers and Notarization Department,
MOJ
Xue Xinli, Guiding the Grass Roots Work Department, MOJ
Fang Qiang, Interpreter, MFA

Summary

[1](#)3. (C) In a May 27 meeting in conjunction with the 14th
U.S.-China Human Rights Dialogue (HRD), PRC Ministry of
Justice's (MOJ) Legal Assistance and Foreign Affairs
Department Director General Guo Jian'an and Assistant
Secretary of State for Democracy, Human Rights, and Labor
David Kramer discussed in greater detail issues that were
mentioned during the main sessions of the Dialogue. A/S
Kramer reiterated that the Chinese Government should consider
for release a number of prisoners, including high-profile
prisoners appearing in the U.S. cases of concern list for
which MOJ helped provide information, as well as the
remaining Tiananmen prisoners. Assistant Legal Advisor
Robert Harris discussed the amended Lawyers' Law. End
Summary.

Introduction to MOJ

[1](#)4. (U) DG Guo said that the atmosphere of the one-day Human

Rights Dialogue was positive and the Dialogue was conducted smoothly. DG Guo introduced the functions of MOJ. First, MOJ administers China's 700 prisons with over 1.5 million inmates. Second, MOJ supervises legal education. After initiating the Reform and Opening policy, China resolved to build the rule of law and launched legal awareness and education campaigns; since 1978, four campaigns have been completed, and the fifth educational campaign is being drafted now. Third, MOJ is responsible for the administration of lawyers. Currently there are 13,000 law firms and 130,000 lawyers. (Note: This number does not include judges or prosecutors.) Although behind that of the United States, the legal profession in China, which only started in 1979, is developing rapidly. Fourth, MOJ supervises notary services. There are three thousand notarization centers employing 11,000 workers. Fifth, MOJ oversees "People's Mediation." Using community mediation agencies, five million cases each year are resolved between the parties outside of court. Sixth, MOJ administers the National Judicial Examination. Since 2002, passing the nationwide unified examination is a prerequisite for becoming a judge, prosecutor or lawyer. Seventh, MOJ regulates legal aid. Begun in 1994, legal aid now consists of 3,000 agencies with 10,000 employees. Eighth, MOJ oversees judicial forensics. MOJ regulates legal forensic work to ensure its reliability and authoritativeness. Ninth, MOJ handles foreign legal exchanges and mutual legal assistance. Since the 1980s, China h